



State of New Jersey

Department of Environmental Protection

James E. McGreevey
Governor

Bradley M. Campbell
Commissioner

Christopher Anderson
Director Environmental Affairs
L.E. Carpenter and Company
33587 Walker Road
Avon Lake, OH 44012

JAN 22 2003

RE: L.E. Carpenter Superfund Site
Wharton, Morris County, New Jersey

The New Jersey Department of Environmental Protection (NJDEP or Department) has completed a review of the Response to NJDEP and USEPA Comments dated October 22, 2002. This document was prepared by RMT, Inc. on behalf of L.E. Carpenter and Company (LE). NJDEP finds the document to be acceptable provided the following comments are addressed. Within fourteen (14) calendar days after receipt of this letter LE shall submit a detailed schedule of all activities.

General Comment:

It has been agreed that a change to the Record of Decision (ROD) for lead contaminated soils is necessary. In order to accomplish this, the Focused Feasibility Study (FFS) must be submitted by February 28, 2003.

Specific Comments:

1. The Record of Decision (ROD) for the site established a remediation goal of 600 ppm for lead, based on long term industrial/commercial, non-residential use. LE should be aware that due to the fact that the intended end use of this site is currently under consideration for mixed municipal use, the potential for human health exposure has changed from an industrial use scenario to one of part recreational. Therefore, the direct contact soil cleanup criteria for lead must be revised to consider the potential for exposure to children via direct contact. The proposed FFS must include a discussion of risks relative to the future use of this site.
2. LE should be aware that post excavation samples are required during remediation for any areas on the site with lead contamination or subsurface process waste material.
3. NJDEP remains concerned with the potential for product to discharge to the drainage ditch. Several theories of ground water flow and free-product migration have been proposed regarding the absence of free-product and/or dissolved product in the drainage ditch separating the site from the Air Products facility. It is stated in the 2nd Quarter 2002 Progress Monitoring Report that free-product is not migrating into the ditch because it is being "squeezed" and capillary forces prevent its further migration off-site. In the 4th Quarter 2001 Progress Monitoring Report it is stated that "the drainage ditch acts as a local groundwater sink and shallow groundwater from a large portion of the site seeps into the drainage ditch".

Most recently, it is stated that capillary forces prevent free-product from migrating into the ditch, and zone 1 soils barely intercept the ditch, but free-flowing product can be expected only in zones 3 and 4. LE should be aware that NJDEP considers the product to be a floater. As such, it would be expected to float on top of groundwater in zone 1 and discharge to the ditch. Also, the product zone is parallel to ground water flow, which indicates product has moved/is moving despite capillary forces. Capillary forces would also not prevent dissolved product from migrating into the ditch.

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Should you have any further questions please feel free to contact me at (609) 633-1416.

Sincerely,


Anthony Cinque, Case Manager
Bureau of Case Management

C: Nick Clevett, RMT, Inc.
Stephen Cipot, EPA
George Blyskun, BGWPA
John Prendergast, BEERA